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May 3, 2021

By ECF

Honorable Katharine H. Parker
United States Magistrate Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *Gabriel Flores v. City of New York, et al.*, No. 21 Civ. 1680 (RA) (KHP)

Your Honor:

I am a Senior Counsel in the Office of Georgia M. Pestana, Acting Corporation Counsel of the City of New York, attorney for defendant City of New York.¹ First, for the same reasons set forth in its letter dated April 21, 2021, defendant City of New York respectfully requests that the Court direct the Clerk of Court to mark this matter as related to *Alexander Williams Jr. v. City of New York, et al.*, No. 21 Civ. 01083 (JPC) (KHP). ECF No. 8. Second, should it please the Court, defendant City of New York writes to reiterate that it can provide briefing about why dismissal pursuant to 28 U.S.C. § 1915(e)(2)(B) and § 1915A is appropriate.

By way of background, plaintiff initiated this action pursuant to 42 U.S.C. § 1983 on February 23, 2021 by filing the complaint. ECF No. 2. The Complaint spans 260 pages; is littered with frivolous claims; contains approximately 185 pages of exhibits; and purports to sue eighty-five defendants,² though there are thirty-one individual defendants against whom no

¹ This case has been assigned to Assistant Corporation Counsel Emma M. DeCourcy, who is admitted to the New York State Bar and is presently applying for admission to the Southern District of New York. Ms. DeCourcy is handling this matter under supervision and may be reached at edecourc@law.nyc.gov.

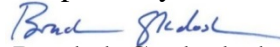
² The named defendants in this matter are the City of New York, DOC Commissioner Cynthia Brann, Chief of DOC Hazel Jennings, Chief of Security Kenneth Stokes, Chief of Operations Becky Scott, Chief of Staff Brenda Cooke, General Counsel Heidi Grossman, Warden Jean Rene, Deputy Warden Jonelle Shivraj, Deputy Warden Tiffany Morales, Deputy Warden, Joanne Matos, Assistant Deputy Warden (“ADW”) Carter, ADW Greene, ADW Charles, ADW Henry, ADW Phillips, ADW Louis, ADW Flemming, ADW Lacroix, Security Capt. Mathis, Security Capt. Ballah, Capt. Law, Capt. Farrow, Capt. Parris, Capt. Peters, Capt. Arias, Capt. Blake, Capt. L’Oiseau, Capt. Vallejo, Capt. Jones, Capt. Islam, Capt. Moodie, Capt. Charles, Capt. Palmer-Campbell, Correction Office (“CO”) Young,

factual allegations are asserted. On April 21, 2021, defendant City of New York respectfully requested judicial review pursuant to 28 U.S.C. § 1915(e)(2)(B) and § 1915A and that the Court mark this case as related to *Alexander Williams Jr. v. City of New York, et al.*, No. 21 Civ. 01083 (JPC) (KHP). ECF No. 8. On April 22, 2021, Judge Abrams referred this case to Your Honor for general pretrial purposes and for resolution of defendant City of New York's request for judicial review. ECF No. 9, 10.

Therefore, for the reasons set forth in defendant's letter dated April 21, 2021, defendant respectfully requests that this matter be marked as related to *Alexander Williams Jr. v. City of New York, et al.*, No. 21 Civ. 01083 (JPC) (KHP). Additionally, should it please the Court, defendant can provide briefing as to why dismissal of certain defendants and claims is appropriate pursuant to 28 U.S.C. § 1915(e) and §1915A within forty-five days.³

Thank you for your consideration herein.

Respectfully submitted,



Brachah Goykadosh

Senior Counsel

Special Federal Litigation Division

cc: Gabriel Flores (By Mail)
Plaintiff Pro Se
Book & Case Number: 4411905826
New York City Department of Correction
George R. Vierno Center
09-09 Hazen Street
East Elmhurst, New York 11370

CO McNeil, CO Hickson, CO White, CO Rodriguez, CO Harris, CO Ritter, CO Reid, CO Ramirez, CO Nzeama, CO Taylor, CO Drumright, CO Day, CO Oxley, CO Humphries, CO Montenegro, CO Adamczyk, CO Smith, CO Williams, CO Humphries, CO Vasquez, CO Castro, CO Likoua, CO Lawrence, CO Smith, CO Vasquez, CO Sherma, CO Darbeau, CO Purnhagen, CO Peay, CO Pierce, CO Quinones, CO Dychese, CO Edmund, Warden Dunbar, CO Chuck, CO Smith, Operations Security Intelligence Unit DeJesus, Operations Security Intelligence Unit White, CO Bushrod, CO White, Capt. Camacho, CO Feliz, CO Guzman, ADW Wilkins, CO Liu, CO Benitez, ESU Team, Capt. Subervi, ADW Blair, ADW Vasquez.

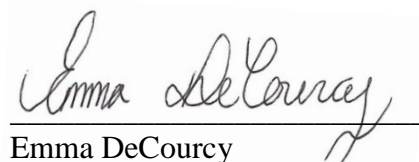
³ Unless ordered by the Court, defendant City of New York will take no action at this time, and will not file an Answer to the Complaint, until judicial review pursuant to 28 U.S.C. § 1915(e) and §1915A is complete.

DECLARATION OF SERVICE BY MAIL

I, Emma DeCourcy, declare, pursuant to 28 U.S.C. § 1746, under penalty of perjury that on May 3, 2021, I served the annexed **LETTER** upon the following individual by causing a copy of same, enclosed in a first class postpaid properly addressed wrapper, to be deposited in a post office/official depository under the exclusive care and custody of the United States Postal Service, within the State of New York, directed to Plaintiff at the address set forth below, being the address designated by Plaintiff for that purpose:

Gabriel Flores (By Mail)
Plaintiff Pro Se
Book & Case Number: 4411905826
New York City Department of Correction
George R. Vierno Center
09-09 Hazen Street
East Elmhurst, New York 11370

Dated: New York, New York
May 3, 2021



Emma DeCourcy
Assistant Corporation Counsel